

## Module 03: A Revolution for Whom?

### Evidence 20: Citizens Respond to Massachusetts's Declaration of Rights, 1780

# A

#### Introduction

Not everyone in Massachusetts approved of every element in the proposed Declaration of Rights, and Articles 2 and 3, which dealt with public support of religion, were especially contentious. Citizens objected to the two articles for a variety of reasons, as the two examples below show. Residents of Dunstable, in northeastern Massachusetts, worried that the Declaration was too permissive, while residents of Boston complained that it was too restrictive.

#### Questions to Consider

- Why did the residents of Dunstable object to the Declaration? Why did Bostonians object to it?
- How, according to the people of Boston, did the Declaration undermine religion? How did it undermine individual freedoms?

#### Document

At a Legul Meating of the freeholders and other Inhabitan[ts] of the town of Dunstable on the 15th day of May 1780 at which time the form of goverment agreed upon by the Late Convention was Red after which said meeting was Continued by adjurnment to Tuesday 30th Instant when some objections arose to said form of goverment which ware these that follow:

**1st.** was touching the second and third articles of the Decleration of right in the second it is said that no subject shall be hurt molested or restrained for worshiping god in the maner and season most agreable to his own conscience provided he Doth not Dissturbe the publick peace or obstruct others in there religious worship; and in the third we find that Every denomination of Christians Demening them selves peasably and as good subjects to the Common Welth shall be Equelly under the Protection of the law to which was objected and said that these Sentances are so general as to Engage full Protection to the Idalatrous worshippers of the Church of

Rome therefore they were not Clear in their judgment to give so much Incoragement to Idol worship as to Engage any full protection in their Idolatry for if the goverment should not Disturbe such in their protended worship it would be as much as they might Expect without our being under special obligation to protect them there in by the laws of the land ---- The Question being put there appeared 23 for anmemnent on these article: and none against it

Boston, May 22

**1st. Objection.** The first part of the third article was objected to, which is this "Whereas the happiness of a people and the good order and preservation of civil government essentially depend on piety, religion, and morality" It was proved by several expressions in the article, that by religion we are to understand christianity; consequently the porposition stands thus — That the preservation of civil government essentially depends on christianity This was denied for this plain reason, That civil government was in the world before the coming of Christ; and that there were excellent commonwealths among the ancient Greeks and Romans, while they were totally ignorant of christianity. If therefore civil government existed and flourished before christianity was revealed to the world, it cannot in reason be said essentially to depend upon it.

**2d. Objection.** The next objection was made against the Right which the people of this commonwealth are said to have, to invest their Legislature with power to authorize and require the several towns and religious societies to make suitable provision at their own expence, for the institution of the public worship of GOD, and for the maintenance of the public protestant teachers of piety religion, and morality, in all cases where such provision shall not be made voluntarily. To this paragraph it was objected, that this right is of the religious kind: it has respect to christian worship, and to the choice and maintenance of the ministers of Christ; and as such is one of those rights that is unalienable, and which no man can transfer to another. It is most certainly a right of conscience, and as such, not transferable to any man, or body of men whatever. A right this, which the people cannot be brought to be willing to part with, even supposing it possible to alienate it, unless they are infatuated to a great degree.

**3d. Objection** It was also said by way of objection that the people have no

right to invest the Legislature with power to authorize and require religious societies, etc. because by religious societies we are to understand the churches of Christ which churches can receive no authority, nor be subject to any requisition of any Legislature under Heaven; seeing Christ himself is the sole head of his church, or fountain of authority in it. . . . Christ as Head of his Church, had amply furnished it with all those laws which are necessary for its well-being and government: and among the rest for the maintenance of his ministers. If so, no new laws of mere human contrivance are wanted, but really that we should yield a punctual obedience to the laws which Christ has given already; which laws, as they are derived from the only proper authority, so they are exactly suited to the nature of the spiritual kingdom of Christ . Here undeniable facts were mentioned; such as, that the primitive preachers of the gospel 'till the days of Constantine, were supported upon this plan — that the ministers of the dissenting churches in England, Ireland and America, have been and now are maintained without the help of the civil law. If they have been thus supported, it was said, so might the ministers of the churches of New England be maintained.

**4th. Objection.** The second paragraph of the 3d article, empowers the legislature to enjoin upon all the subjects an attendance on the instructions of the public teachers, provided they can conveniently and conscientiously attend. Here it was asked, who shall be the judge, whether the subjects can conveniently and conscientiously attend? It was found that the jury were to be judges in this matter. Consequently a man for non-attendance on the public teachers, will be liable to be prosecuted at common law, and a jury to be empowered to determine not only a matter of convenience, but a matter of conscience. To this it was said, this people will not submit.

**5th. Objection.** The third paragraph empowers towns etc. to elect a teacher, and to contract with him for his support. By towns the majority of the inhabitants are intended; consequently the majority would have it in their power to chuse a minister for the minority: and oblige them to support him. This was objected to as a most barefaced oppression, Abecause every man has certainly as much right at least to chuse his religious teacher, as he has to chuse his own lawyer or physician.

**6th. Objection.** The fourth paragraph obliges a man to pay his money to support a teacher from whom he conscientiously dissents, provided he

should be so situated that he cannot attend upon a teacher of his own denomination. This was objected to as unjust; because no man's money can of right be taken from him without his consent, or without an adequate compensation for it.

**7th. Objection.** It was also said that this 3d article makes the ministers of Christ dependent ultimately on the Legislature for their support, and thereby lays a foundation for a combination between the Legislature and the teachers of religion, which at some future period, may prove fatal to the liberties of the people. But what renders this matter more alarming is, that the teachers of religion are by the constitution left eligible into places of civil government. Let us suppose then that at any given period, the minister, or a large number of them, should be sent as Representatives to the General Court, they will then have it in their power as members of the Court, to superintend their own salaries as teachers of religion. This is a dangerous part of the constitution.

Source:

Oscar and Mary Handlin, eds., *The Popular Sources of Political Authority: Documents on the Massachusetts Constitution of 1780* (Cambridge: Belknap Press of Harvard University Press, 1966), 640-641; 645-647.